THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO.23108 OF 2005

Dated 27th October 2005

Between:

T.Balakrishna S/o.Kondala Rao

…Petitioner

And

The Regional Transport Authority,

Rep. by its Secretary, Guntur, & another

…Respondents

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO.23108 OF 2005

O R D E R:

The petitioner was granted a town service permit, from Guntur to Kakani temple by the first respondent, at their meeting held on 29.1.2005. The petitioner was required to put the vehicle on the route, within four months, from the date of receipt of the order. The petitioner states that the order of the first respondent was received by him, in the first week of April 2005. He contends that he could not place the vehicle within the stipulated time, since the vehicle of their choice was not available. The petitioner contends that if adequate time is granted, he will place the vehicle on the route, and avail the benefit of the permit. He seeks appropriate directions in this regard.

Heard the learned counsel for the petitioner, learned Government Pleader for Transport and learned Standing Counsel for the APSRTC.

It is a matter of record that the petitioner was granted permit on the town service route, way back on 29.1.2005. The permit itself grants four months time to the petitioner, from the date of its receipt, for placing the vehicle. The first respondent is vested with the power, to extend the time by four months, provided the application

therefor, is made before the expiry of initial four months. The petitioner did not file the application for extension, within the stipulated time.

Learned Standing Counsel for the Corporation submits that the very grant of permit was subject to the result of the SLP filed against the judgment of the Full Bench of this Court, and that the Supreme Court had since reversed the judgment of the Full Bench. If that be so, the APSRTC has to avail the remedy against the order granting permit.

Having regard to the facts and circumstances of the case, the writ petition is disposed of, granting two months time to the petitioner, for production of records, in relation to a vehicle to be plied on the route. It shall be open to the APSRTC, to pursue its remedy against the order of the first respondent, if it is so advised. There shall be no order as to costs.

_____

27th October 2005

-

PAN